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DRAWING REVIEW BRANCH

PATENT
ATTORNEY DOCKET No. 27459-803/080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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NOV 17 2004

OFFICE OF PETITIONS

In re Application of:

MOURA et al.

Serial No.: 08/697,080

Filed : August 20, 1996

For: HYBRID ACCESS SYSTEM
EMPLOYING ACKNOWLEDGMENT
SUPPRESSION
(As Amended)

)
) Group Art Unit: 2603
)
) Examiner: HOM, S.
)
) Notice of
) Allowance Mailed: November 14, 1997
) Batch No. U19
)
)
)
)
)
)

Drawing Review Branch
U.S. Patent and Trademark Office
Washington, D.C. 20231

TRANSMITTAL LETTER

Sir:

Enclosed are the following items for filing in this application:

20 Sheet of Formal Drawings.

If there are any fees due that are not enclosed, including the Issue Fee or a fee for a request for extension of time, please charge such fees to the to Farkas & Manelli PLLC Deposit Account No. 06-0115.

Respectfully submitted,

By Jerome D. Jackson
Jerome D. Jackson
Reg. No. 33,186
Tel: (202) 778-1130
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1233 20th Street, N.W.
Suite 700
Washington, DC 20036

DATED: 2/2/98



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NO. 0733MH-42371

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NOV 17 2004

In re Application of

EDUARDO J. MOURA

Serial No. 08/697,080

Examiner: HOM, SHICK COFFICE OF PETITIONS

Art Unit: 2666

Filed: 20 AUGUST 1996

For: HYBRID ACCESS SYSTEM EMPLOYING ACKNOWLEDGEMENT
SUPPRESSION

RESPONSE TO DECISION ON PETITION UNDER 37 C.F.R. 1.137(b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Decision on Petition mailed 21 September 2004, Applicant respectfully submits a prior communication dated 2 February 1998 which transmitted formal drawings. Another copy of the formal drawings are included with this mailing.

CERTIFICATE OF MAILING
37 CFR § 1.8(a)

I hereby certify that this paper or fee is being deposited with the United States Postal Service as First Class Mail service under 37 C.F.R. § 1.8(a) on the date indicated below and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date of Deposit: 9 NOV 2004

By: [Signature]

Applicant respectfully requests that this petition be granted.

No additional fees are believed to be required; however, if any additional fees are due, please charge any additional fees to our Deposit Account No. 50-1060. A duplicate of this petition is enclosed for this purpose.

Respectfully submitted,

A handwritten signature in black ink that reads "Mel A Hunn". The signature is written in a cursive, flowing style.

Melvin A. Hunn
Registration No. 32,574
Kenneth C. Hill
Registration No. 29,650
Hill & Hunn LLP
201 Main Street, Suite 1440
Fort Worth, Texas 76102
(817)332-2113
ATTORNEY FOR APPLICANT(S)



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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OFFICE OF PETITIONS

Hill & Hunn, LLP
201 Main Street
Suite 1440
Fort Worth, TX 76102

In re Application of :
Eduardo J. Moura :
Application No. 08/697,080 :
Filed: August 20, 1996 :
Attorney Docket No. 0733MH-42371 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed July 26, 2004, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** a final agency action within the meaning of 5 U.S.C. § 704.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lacks item(s) (1).

A Notice of Allowance was mailed to applicant on February 10, 2003, setting a three-month statutory period within which to submit the issue fee and corrected drawings. Since no reply was received, the application became abandoned on May 11, 2003.

The issue fee has been received. However, corrected drawings as required by the Notice of Allowability have not. In view thereof, the application cannot be revived until such corrected drawings are received in the Office.

Further correspondence with respect to this matter should be addressed as follows:

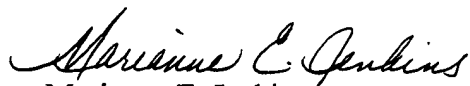
By Mail: Mail Stop PETITION
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

Effective December 1, 2003, the Office of Petitions can no longer receive hand-carried correspondence, or facsimile transmissions of correspondence. The centralized location for hand-carried correspondence is the Customer Window located at:

U. S. Patent and Trademark Office
220 20th Street
Customer Window, Mail Stop Petitions
Crystal Plaza Two Lobby, Room 1B03
Arlington, VA 22202

The centralized facsimile number is (703) 872-9306.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-3475¹.



Marianne E. Jenkins
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

¹ Effective September 27, 2004, the phone number will be changed to (571) 272-3223, as this is the date the Office of Petitions anticipates moving to the new USPTO facility in Alexandria, VA.